

that I understand the exception as you explained it with respect to the neighboring senate district. The thrust of my question is, once a senator or delegate has been elected, must he continue to live in his district? That is question number one; and while you are answering that one, also answer the question with respect to the exception: If he runs in a district in which he does not reside, must he then move into that district?

DELEGATE GALLAGHER: Answering your second question, I think the answer is yes, that under the interpretation he should move into the district because of the time limitation. It says, however, that if the district has been redistricted within one year, he would have that option within one year following the change in the district. If he wanted to change from that district, I believe he would be required to change to the district, if he were not physically located in it.

Then there is a second question.

THE CHAIRMAN: Delegate Sickles, can you restate your question?

DELEGATE SICKLES: The original question was, is there a requirement that he continue to reside in the district from which he is elected?

DELEGATE GALLAGHER: I do not read such requirement, only at the time of his election.

THE CHAIRMAN: Delegate Hickman.

DELEGATE HICKMAN: Referring to section 3.05, Delegate Gallagher, is there anything there which would preclude one person from running for all three delegacies?

DELEGATE GALLAGHER: I do not see anything in the constitution which would prohibit that, no.

DELEGATE HICKMAN: And then nothing prohibits his winning in all three and being elected and representing all three?

DELEGATE GALLAGHER: I think my response to that is that the constitution does not set forth in detail the suffrage and election laws, but would expect the General Assembly to implement them.

DELEGATE HICKMAN: According to the constitution as it is now being presented to us, one person could represent three districts in the House of Delegates?

DELEGATE GALLAGHER: I would say that it would theoretically be possible, but I would further suggest that if this constitution is adopted the General Assembly would set up an orderly system of determining options.

THE CHAIRMAN: Are there any further questions, Delegate Hickman?

DELEGATE HICKMAN: Delegate Gallagher, I see nothing which states that this may be done by law.

DELEGATE GALLAGHER: There is another section which I believe is forthcoming with respect to holding one office of profit and trust. One of the difficulties I think in taking the sections piecemeal is that we do not have before us some complementary constitutional provisions which would take care of these things.

THE CHAIRMAN: May I interject to say that one of the other committees which has not yet reported has indicated that it has under consideration a section which generally prohibits the holding of more than one office of profit or trust.

Delegate Hickman?

DELEGATE HICKMAN: I understand, Mr. Chairman, but it still would not preclude a person from running in three different districts?

THE CHAIRMAN: Delegate Gallagher, can you answer the question?

DELEGATE GALLAGHER: I do not see any specific prohibition.

The purpose of 3.05 is to set up the affirmative possibilities, not to take care of the possible abuses. I would repeat that I believe that implementing legislation, if not the Constitutional provision that I have referred to, could handle this problem.

We did not seek to get into considerable detail.

THE CHAIRMAN: Delegate Dorsey?

DELEGATE DORSEY: Mr. Chairman, is there anything in the majority report or that is forthcoming from another committee that would prohibit the legislature from increasing items in the budget?

DELEGATE GALLAGHER: I am not in position to speak for State Finance and Taxation, but as I understand what is going on, the committee, through its chairman, has expressed some opposition to allowing the General Assembly to increase the executive budget.